# Negative Evidence

## Case Turns

### Direct Action Tradeoff

#### Discourse as a fuel for change is a neoliberal myth – it obscures the historical need for direct action.

Andrew Tillett-Saks, 2013

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In the wake of the Brown University shout-down of Ray Kelly, champion of the NYPD’s racist stop-and-frisk policy and racial profiling in general, the debate has resurfaced. Rather than talking past the anti-protestors’ arguments, they need to be addressed directly. The prototypical argument in denouncing the protestors is not a defense of Ray Kelly’s racism. It is twofold: First, that a free-flowing discourse on the matter will allow all viewpoints to be weighed and justice to inevitably emerge victorious on its merits. Second, that stopping a bigot from speaking in the name of freedom is self-defeating as it devolves our democratic society into tyranny. The twofold argument against the protestors stems from two central myths of neoliberalism. The argument for free discourse as the enlightened path to justice ignores that direct action protest is primarily responsible for most of the achievements we would consider ‘progress’ historically (think civil rights, workers’ rights, suffrage, etc.),not the free exchange of ideas. The claim that silencing speech in the name of freedom is self-defeating indulges in the myth of the pre-existence of a free society in which freedom of speech must be preciously safeguarded, while ignoring the woeful shortcomings of freedom of speech in our society which must be addressed before there is anything worth protecting. Critics of the protest repeatedly denounced direct action in favor of ideological debate as the path to social justice. “It would have been more effective to take part in a discussion rather than flat out refuse to have him speak,” declared one horrified student to the Brown Daily Herald. Similarly, Brown University President Christina Paxson labeled the protest a detrimental “affront to democratic civil society,” and instead advocated “intellectual rigor, careful analysis, and…respectful dialogue and discussion.” Yet the implication that masterful debate is the engine of social progress could not be more historically unfounded. Only in the fairy tale histories of those interested in discouraging social resistance does ‘respectful dialogue’ play a decisive role in struggles against injustice**.** The eight-hour workday is not a product of an incisive question-and-answer session with American robber barons. Rather, hundreds of thousands of workers conducted general strikes during the nineteenth century, marched in the face of military gunfire at Haymarket Square in 1886, and occupied scores of factories in the 1930’s before the eight-hour work day became American law. Jim Crow was not defeated with the moral suasion of Martin Luther King, Jr.’s speeches. Rather, hundreds of thousands marched on Washington, suffered through imprisonment by racist Southern law enforcement, and repeatedly staged disruptive protests to win basic civil rights. On a more international scale, Colonialism, that somehow-oft-forgotten tyranny that plagued most of the globe for centuries, did not cease thanks to open academic dialogue. Bloody resistance, from Algeria to Vietnam to Panama to Cuba to Egypt to the Philippines to Cameroon and to many other countries, was the necessary tool that unlocked colonial shackles. Different specific tactics have worked in different contexts, but one aspect remains constant: The free flow of ideas and dialogue, by itself, has rarely been enough to generate social progress. It is not that ideas entirely lack social power, but they have never been sufficient in winning concessions from those in power to the oppressed. Herein lies neoliberal myth number one—that a liberal free-market society will inexorably and inherently march towards greater freedom. To the contrary, direct action has always proved necessary.

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#### Discourse as a driving force for material change is a brutal misreading of history. Jim Crow, Vietnam, Colonialism, and Slavery all prove our thesis. This neoliberal myth of the free-market driving societal progress saps investment in direct action which turns the case by making organizing less effective.

### Warming

#### Universities are striking deals with the Koch brothers – the free market and laisse-faire enabling of speech has opened the door to institutional climate denialism that affects students, research, and politics.

Connor Gibson, 2014

“Climate Denial College: Students Push Back on Koch Attack on Academic Freedom” Greenpeace

We Sold Our Souls for Koch Control Covering a deal struck between Koch and Arizona State University, LA Times reporter Michael Hiltzik asked, “When universities sell their souls, why do they have to sell so cheaply?” Koch’s sudden invasion of higher education has been widely protested and continues to escalate. Brooklyn City University of New York (CUNY) flat-out [rejected Koch’s offer](https://www.insidehighered.com/news/2014/06/25/professor-says-brooklyn-college-missed-chance-get-millions-koch-foundation) for a multi-million dollar grant this year, to the [ire of a professor](http://www.alternet.org/education/brooklyn-college-defends-academic-freedom-saying-no-koch-millions-its-business-school) negotiating with the Koch foundation. At Florida State University (FSU), [students](http://www.tallahassee.com/story/opinion/columnists/2014/04/07/my-view-dont-let-koch-hurt-academic-integrity/7321513/) and [professors](http://www.tallahassee.com/story/opinion/columnists/2014/05/14/view-fsu-learns-koch-association/9097603/) have [exposed](http://www.aaup.org/article/fine-print-restrictive-grants-and-academic-freedom#.VBjY2fldWJQ) Koch influence since 2011, [protesting](http://www.tampabay.com/news/business/billionaires-role-in-hiring-decisions-at-florida-state-university-raises/1168680) how Charles Koch’s staff hold undue control over professor hires. The conversation at FSU remains heated, with students [declaring](http://www.npr.org/2014/05/23/315080575/koch-foundation-criticized-again-for-influencing-florida-state) that FSU’s revised contract with Koch is no better than its old contract, still conceding informal hiring control and other functions to Koch. As FSU searches for a new president, one nominee in particular has [drawn criticism](http://www.tallahassee.com/story/opinion/columnists/2014/08/27/view-free-fsu-search-corporate-influence/14709875/) from students and faculty for his lack of academic background, [connections](http://contextflorida.com/adam-weinstein-presidential-search-latest-battle-free-market-lobbyists-trying-transform-fsu/) to Koch-funded groups and politicians, and his role as a Florida Senator in passing new [legislation exempting university donor communications](http://www.gainesville.com/article/20140915/WIRE/140919714?p=3&tc=pg) from public record requests. At Suffolk University, an alumna has [petitioned](http://kochfreezone.org/) the university to address concerns over Koch money on campus. Suffolk University’s administration has been [under fire](http://suffolkjournal.net/2013/11/bhi-defends-funding-despite-suffolk-alums-petition-no-koch-money/) for continuing allow Koch to run political campaigns out of the [Beacon Hill Institute](http://www.theguardian.com/world/2013/dec/05/host-university-research-group-climate-suffolk-university) (BHI) in Suffolk’s name, on Suffolk’s campus. George Mason University students have recently called upon their administration to make transparent their financial arrangements with Koch and other corporate interests ([p. 12](http://issuu.com/osmgmu/docs/issue_1_-_aug._25)). GMU president ngel Cabrera put up a [response](https://president.gmu.edu/2014/09/philanthropy) that [didn’t address](http://my.firedoglake.com/colinnackerman/2014/09/05/student-response-to-president-cabrera-evading-call-for-transparency/) transparency concerns outlined by a student group calling itself “[Transparent GMU](https://www.facebook.com/transparentGMU).” On a recent [Reddit AMA with President Cabrera,](http://gmufourthestate.com/2014/09/11/cabrera-talks-golf-game-squirrels-and-koch-funding-in-ama/) students cited a [Politico Magazine](http://www.politico.com/magazine/politico50/2014/charles-kochs-brain.html) article that implicated GMU as a major part of Koch’s political apparatus and pushed for answers. President Cabrera agreed to [meet](http://www.reddit.com/r/gmu/comments/2g0rpc/i_am_%C3%A1ngel_cabrera_president_of_george_mason/ckej6is) with students, though there is no indication that has yet happened. The United Negro College Fund has become central in the Koch university debate after [UNCF took $25 million from Charles Koch](http://grist.org/politics/why-are-the-kochs-giving-25-million-to-poor-black-college-students/). The American Federation of State, County and Municipal Employees (AFSCME) [withdrew its partnership with UNCF](http://www.cnn.com/2014/08/07/opinion/jones-uncf-koch-union-afscme/index.html) after learning UNCF president Michael Lomax personally attended Koch’s political strategy & fundraising meeting in June, 2014. [Michael Lomax mocked his critics](http://www.salon.com/2014/09/04/exclusive_new_secret_koch_tape_reveals_united_negro_college_fund_plot/) at the Koch donor summit, according to audio leaked to the press. Students, faculty, alumni and activists alike have also spoken out at [Catholic University](http://www.washingtonpost.com/local/50-educators-sign-letter-to-catholic-university-protesting-koch-foundations-1-million-gift/2013/12/15/f53b9d4c-65c7-11e3-8b5b-a77187b716a3_story.html), [George Washington University](http://www.gwhatchet.com/2014/04/21/kinjo-kiema-a-heightened-need-for-transparency-surrounding-controversial-gifts/), and [University of Arizona](http://petitions.moveon.org/sign/keep-koch-money-out-of). Climate Science Denial on Koch-Funded Campuses Of primary concern to Greenpeace is evidence of [professors in Koch-funded university departments denying the science of climate change](http://my.firedoglake.com/cgibson/2014/04/09/is-charles-koch-funding-climate-science-denial-in-florida-state-university-economics/). Some universities that are threatened to be staffed or controlled by known financiers of climate “[skepticism](http://www.skepticalscience.com/)” or play roles in Koch’s political campaigns against climate policies. FSU – Climate Denial Econ 101 **Professor James Gwartney at Florida State University co-authored a textbook called Economics: Private and Public Choice. This “widely used” textbook has been criticized** for six years straight by Ph.D economist Yoram Bauman **for misrepresenting the science of climate change** – a field well outside of the authors’ credentialed experience. Since 2010, when Dr. Bauman began ranking economics textbooks that include climate change back, Gwartney et al. have not only ranked dead-last every time, but have made little progress in updating the inaccurate and false assertions made in their widely-used textbook. **Three authors** of Economics: Private and Public Choice **have overlapping connections to Koch-funded universities and political groups**. **James Gwartney works in the Koch-funded Florida State University economics department, and is on the Research Advisory Council of the Koch-funded James Madison Institute, itself a member of the Koch-funded State Policy Network.** Gwartney is an adjunct scholar at the Cato Institute, founded by Charles Koch and currently directed by David Koch and other close Koch associates. Gwartney received the Adam Smith award and Distinguished Scholar Award from the Association for Private Enterprise Education (APEE), which organizes professors at schools receiving Koch grants. Gwartney has served as president, vice president and executive board member of APEE. APEE itself receives money from Charles Koch. James Gwartney has authored at least 11 editions of “Economic Freedom of the World” for the Fraser Institute and the Cato Institute, a project funded by Koch. “Economic freedom” is written into the “Objectives” of Koch’s contract with Clemson University, as noted above. **Richard Stroup teaches at North Carolina State University, which helps the Charles Koch Institute place “summer fellows” into paid internships at Koch-funded political groups.** Stroup is a director of the Institute for Energy Research (IER), itself founded by Charles Koch, and is a fellow at the Cato Institute, also founded by Charles Koch. Along with Charles Koch, Dr. Stroup is a member of the Mont Pelerin Society. Stroup authored “Free Market Environmentalism” for the anti-environmental Property and Environment Research Council (PERC), yet another organization financed by Koch foundations, which created a Free Market Environmentalism college course syllabus. Russell **Sobel now teaches at Citadel College Military College of South Carolina, after abruptly leaving West Virginia University in 2012, a top Koch-Funded school where Sobel was hand-chosen by the Charles Koch Foundation to direct the programs it funds**. Sobel earned his economics Ph.D at FSU under Randy Holocombe. Sobel is a visiting fellow at the South Carolina Policy Council, part of the Koch-funded State Policy Network, and is affiliated with the Mercatus Center, the Cato Institute, the Fraser Institute, Tax Foundation, and Koch-funded hubs at Troy University in Alabama and Hampden-Sydney College in Virginia. Sobel served on the executive board of the Koch-funded consortium of professors, the Association of Private Enterprise Education, and received an award from APEE in 2007. Sobel has argued that mine safety regulations make coal miners less safe. **Ironically, the 2008 and 2013 contracts between Koch and FSU were signed by former president Eric Barron, a climate scientist who is now president of Penn State University, which has received $74,500 from Charles Koch since 2008.** Climate Disbelief Ground Zero – George Mason University Economics **Perhaps most prominently, George Mason University’s involvement in undermining environmental priorities is well-known, undermining other GMU divisions, like the respected Center for Climate Change Communication.** GMU Professor Walter Williams has publicly rejected the science of climate change. After employing some popular disproved remarks to encourage doubt over scientists’ findings, Williams stated in June, 2014, “Only idiocy would conclude that mankinds capacity to change the climate is more powerful than the forces of nature.” Williams is a Rush Limbaugh stand-in host and charter board member of Americans for Prosperity. Williams mentored longtime Koch political operative Nancy Pfotenhauer, herself a former Koch Industries lobbyist her served as AFP’s first president, who until recently served as treasurer on GMU’s Board of Visitors. The Mercatus Center at GMU was founded by Charles Koch and its ongoing president Richard Fink. Fink established Mercatus from a predecessor organization at Rutgers University, and was followed by GMU economics professor Tyler Cowen. Mercatus has history of opposing attempts to control greenhouse gas emissions responsible for global warming, an inherent consequence of Koch Industries’ oil and gas business divisions. Mercatus has continued this work into 2014, opposing attempts by the U.S. Environmental Protection Agency to limit carbon pollution at coal plants. The Institute for Humane Studies, also at GMU and chaired by Charles Koch, was called “a haven for climate change deniers,” by Mother Jones, recruiting students to work for Koch-funded organizations that have battled climate change policy, clean energy development incentives and laws & regulations in the crosshairs of Koch Industries. Suffolk University – The Backbone of Attacks on Clean Energy & Climate Policy **The Beacon Hill Institute (BHI) at Suffolk University** serves as a factory of economic policy studies for the Koch-funded State Policy Network. BHI’s research methodology (STAMP model) has been widely dismissed by economists and journalists citing BHI’s liberal use of “mathematical adjustment.” BHI **has published anti renewable energy studies in states across the country, a tactic to interfere with addressing climate change, not to mention competition with fossil fuel companies like Koch.** The Suffolk Journal confirmed that over $750,000 in Koch donations have gone to BHI. The Journal interviewed BHI director David Tuerck, who admitted to Koch funding but denied any influence over research. But shortly after, The Guardian published a grant proposal from BHI to undermine the Regional Greenhouse Gas Initiative (RGGI), a cap-and-trade program practiced by 10 northeast states that the Koch brothers actively oppose. The grant proposal proved that the BHI study’s outcome preceded the research: “Success will take the form of media recognition, dissemination to stakeholders, and legislative activity that will pare back or repeal RGGI.” BHI’s grant request was sent to the Searle Freedom Trust, one of several corporate foundations that bundles grants in coordination with Koch. In response, Suffolk denounced the actions of the Beacon Hill Institute, but has allowed BHI to use its campus office to continue attacks on state clean energy laws around the country and undermine the Regional Greenhouse Gas Initiative. A Pope of Climate Denial Looms – UNC Chapel Hill **University of North Carolina schools Chapel Hill and Greensboro are on the Charles Koch payroll, and receive money from one of Koch’s closest political allies, Art Pope. Pope, himself a major funder of groups that deny climate change, has leveraged his political groups, his personal donations and his former position as North Carolina’s budget director to bring the university system to its knees.** Pope was a charter director of Koch’s Americans for Prosperity, which runs a pledge to commit politicians against addressing global warming. Pope previously served on the board of AFP’s predecessor, Citizens for a Sound Economy, another group created by the Kochs. He attends Charles Koch’s regular donor summits and gives over $1 million to Koch’s political campaigns, as acknowledged by Charles Koch himself. Groups founded by Art Pope, including the Civitas Institute and the John William Pope Center for Higher Education Policy (named after Pope’s father, a former UNC Chapel Hill trustee), have been critical of the UNC system, lining up behind Pope’s consistent pressure to weaken UNC’s budget. The president of the Pope Center for Higher Education, Jane Shaw, is married to Richard Stroup, the NC State professor who co-authored the economics textbook misrepresenting climate science (see above). Freshly departed from his appointed position as NC Gov. Pat McCrory’s budget director, Art Pope is now rumored to be seeking presidency at the entire University of North Carolina system, composed of 17 schools.

#### Rising right-wing populism’s denial of climate change ensures it continues – they discredit political opponents, repeal international agreements, and promote bunk science. This is particularly damning in the United States which produces more than 14% of global emissions.

Young Voices of Europe, 2016 (“How Populists Put Climate Protection at Risk,” Young people from France, Germany, Greece, Hungary, Slovakia, Sweden and the United Kingdom share their ideas about the current state of Europe and the rise of right-wing populism and extremism, 11-25-16, <http://young-voices.boellblog.org/2016/11/24/how-populists-put-climate-protection-at-risk/>)

While the UN climate change conference in Marrakesh just closed its doors, US president-elect Donald Trump is about to open the doors to his new work place – the Oval Office – in January. This is certainly bad news for those that fought hard to achieve the landmark that is the Paris Agreement, adopted last December and entered into force on 4 November this year. Trump has always taken a rather unfavourable view on reducing CO2 emissions – to say the least. Already in 2012, he claimed that ‘[t]he concept of global warming was created by and for the Chinese in order to make U.S. manufacturing non-competitive.’ Investing in renewables also doesn’t seem to be a viable option for Trump who at a later time said that ‘[w]indmills are the greatest threat in the US to both bald and golden eagles’ while ‘[m]edia claims fictional ‘‘global warming’’ is worse.’ Trump does not stand alone with his views. Similar thinking can be observed with populists across the board. Geert Wilders, leader of the Dutch right-wing Freedom Party (PVV) brought into play that there may be only a ‘limited connection between CO2 emissions and climate change.’ This is also reflected in the PVV’s agenda 2010-2015 which explicitly states that ‘the climate changes, of course, as it always does’ and that ’man cannot increase or decrease temperature on earth by a few degrees.’ This ignorance regarding human-induced climate change also leads them to believe that funds should be diverted from climate protection or – to put it in the words of the PVV – ‘climate hysteria’. A similar stance is taken by the populist Alternative for Germany (AfD) which equally declares human-induced climate change to be non-existent and opposes Germany’s Renewable Energy Act, introduced in 2000 and renewed in 2014. Populists such as Trump and Wilders not only try to undermine the scientific consensus that climate change is a reality and can largely be attributed to anthropogenic factors; they also try to delegitimise their political opponents. Far-right MEP and former leader of the French National Front (FN), Jean-Marie Le Pen once opened a watermelon to show how green activists were supposedly red communists underneath. As much as actions like these may seem worth a good chuckle because of their ridiculousness, **we should be aware of the danger that stems from these attitudes. Populists might jeopardise the progress that has been made in climate protection With populists gaining ground not only in the United States but also in Europe and elsewhere, the achievements of climate activists and the promises of the Paris Agreement are put at risk. Donald Trump could withdraw the US from the agreement,** which in May he announced he intended. Nevertheless, this could take up to four years. If Trump were to also withdraw from the 1992 climate convention that is underlying the Paris Agreement, the US could cancel the Paris Agreement within only one year after giving notice to the UN. In an attempt to backpedal, Trump recently announced in an interview with the New York Times that he had ‘an open mind’ about the Paris Agreement. Nevertheless, it is doubtful whether those words mean a lot, considering that he appointed Myron Ebell, a central figure in climate change denial, to run his transition team. The most likely option is that Trump will simply choose to ignore the US commitment to reduce greenhouse gas emissions under the agreement or at least not take it very seriously. **This would significantly undermine efforts to curb greenhouse gas emissions since the US is responsible for 14.4% of global emissions, only surpassed by China with a share of 25.36%, according to the World Resources Institute.**

#### Climate change is the biggest tangible threat – it knows no borders and individuals nations can have global effects. Hundreds of millions in the Global South are seeing the effects now and warming makes global infrastructure collapse inevitable.

Curtis Doebbler, 2011

Doebbler is an International Human Rights Lawyer, he has advised the Palestinian National Authority, made representations before the UN Human Rights Council, and has worked in Africa, Europe, and the Americas. “Two Threats to Our Existence” Ahram Weekly. http://www.masress.com/en/ahramweekly/27109

Climate change is widely acknowledged to be the greatest threat facing humanity. It will lead to small island states disappearing from the face of the earth, serious global threats to our food and water supplies, and ultimately the death of hundreds of millions of the poorest people in the world over the course of this century. No other threat -- including war, nuclear disasters, rogue regimes, terrorism, or the fiscal irresponsibility of governments -- is reliably predicted to cause so much harm to so many people on earth, and indeed to the earth itself. The International Panel on Climate Change, which won the Nobel Prize for its evaluation of thousands of research studies to provide us accurate information on climate change, has predicted that under the current scenario of "business-as-usual", temperatures could rise by as much as 10 degrees Celsius in some parts of the world. This would have horrendous consequences for the most vulnerable people in the world. Consequences that the past spokesman of 136 developing countries, Lumumba Diaping, described as the equivalent of sending hundreds of millions of Africans to the furnace. Yet for more than two decades, states have failed to take adequate action to either prevent climate change or to deal with its consequences. A major reason for this is that many wealthy industrialised countries view climate change as at worst an inconvenience, or at best even a potential market condition from which they can profit at the expense of developing countries. Indeed, history has shown them that because of their significantly higher levels of population they have grown rich and been able to enslave, exploit and marginalise their neighbours in developing countries. They continue in this vein. Still, government representatives, led by the [United States](http://www.masress.com/en/city/United+States) and other developed countries, continue to stand in the way of even the most basic action. They are blocking legally-binding minimally adequate emissions limits with the result that temperature rises are inevitable and will cause deadly harm to people in many developing countries, and will eventually destroy the planet. Ironically, these same rich countries are calling for developing countries to carry the greatest burden of cutting emissions. If developing countries were to shoulder this burden this would lead to an even greater difference in living standards between the world's richest and the poorest. But it is unlikely they could even do so if they wanted to carry such a disproportional burden. The reason is that they have neither the technology that is needed to cut emissions without literally killing their people and the richest countries and private entities therein that have the technology are not willing to share it. As if to rub salt into the wounds of the developing countries facing the inevitability of climate destruction, the developed countries are also refusing to provide even a fraction of the estimated resources needed to carry this burden and at the same time protect their people. It is true that the resources needed to stop the planet from overheating and to protect people from the climate change that we can already not prevent is not a small sum of money. According to the World Bank, it is as much as $750 billion a year at 2009 rates -- today over $1 trillion in light of the collapsing US dollar. To date, developed countries have made a top offer of $30 billion now and 100 billion by 2020. In fact, they have put more effort into mysteriously revising the World Bank figure downwards while the costs of the actions needed have risen and the damage already done has increased. Still, despite offering too little and fiddling the books to decrease the amount that they need to offer, developing countries have disbursed less than one per cent of even their inadequate pledges. It would seem to be a classic case of the rich just not caring about the poor. Indeed, they don't seem to need to care. Developed countries seem to have such disproportionate financial resources advantages that they can even purchase the support of developing countries. The tiny island archipelago of [Maldives](http://www.masress.com/en/city/Maldives), which will already most certainly disappear because of the rising sea levels caused by climate change, has, for example, given up on trying to take adequate action on climate change. Instead, it frequently supports the proposals of developed countries to take inadequate action. In 2009, its president publicly declared at the annual climate talks that he could agree to nothing better than a deal that would lead to his country disappearing under the sea. Whether the words were his or actually those of developed countries is unclear, as his speaking points are sometimes written by advisors who are paid and made available to the [Maldives](http://www.masress.com/en/city/Maldives) by rich developed countries. Regardless, it is getting harder for developed countries to ignore the "ticking clock" of climate change that has already condemned many people in the Global South to lives of misery. The year 2010 was a stark reminder when average global temperatures reached their highest level ever and natural disasters became regular occurrences.

### Hate Speech

#### Absolute free speech comes at the cost of excluding marginalized groups on campuses – making tradeoffs with free speech is crucial to ensure the inclusion of minority students.

Reed E. McConnell, 2012

“Why Harvard's Hate Speech Policies Are Necessary” http://www.thecrimson.com/article/2012/4/18/hate-speech-libertarians/

There certainly should be dialogue around issues of racism, sexism, homophobia, and other forms of oppression. If someone has prejudices, a good way to erase these prejudices can indeed be to engage in dialogue with that person in order to understand where their attitude is coming from and educate them about the moral and logical fallacies of their prejudice. But there is also a need to protect people from having violence perpetrated against them. When someone calls a black person the “n” word out of hatred, he or she is not expressing a new idea or outlining a valuable thought. They are committing an act of violence. Speech has great power. It can—and often does—serve as a tool to marginalize and oppress people. Laws that restrict hate speech simply seek to prevent violence against marginalized, oppressed groups in order to prevent them from becoming further marginalized and oppressed. There are freedoms to do things, and there are freedoms from things. When our freedom to speak our mind impinges on someone’s freedom from fear, or on someone’s right to feel safe in their community, then that freedom should not stand unregulated in any group that wishes to create a safe and respectful society for its members. We cannot create a respectful learning environment at our university if students from marginalized groups feel that their administration condones acts of violence against them. University regulations against hate speech are entirely necessary for maintaining respect and dignity among the student body, and Harvard’s policies to this end are well thought-out and fair—and certainly not worthy of protest.

#### Hate speech causes long term psychological and physiological damages that effect entire communities.

Timothy Jay, 2009

“Do Offensive Words Harm People?” Psychology, Public Policy, and Law, 2009, Vol. 15, No. 2, 81–101. https://www.mcla.edu/Assets/uploads/MCLA/import/www.mcla.edu/Undergraduate/uploads/textWidget/1457.00018/documents/DoWordsHarm.pdf

**Harms experienced by victims of hateful** **speech**, outlined by Matsuda et al. (1993) and Sullaway (2004), **include psychological and physiological symptoms similar to posttraumatic stress disorder (PTSD): panic, fear, anxiety, nightmares, intrusive thoughts of intimidation and denigration.** Harm may be exacerbated if a victim’s friends or subordinates witness the incident (Matsuda et al., 1993; Neu, 2008; Sullaway, 2004). **Secondary harm to the victim’s community (e.g., racial or ethnic group) may accrue, as incidents of hate speech or bias-motivated crimes can have a rippling effect on those who identify with the victim.** In the past, claims of emotional and psychological distress in reaction to hateful speech have been regarded as credible injuries based on the specific facts of each case (see Neu, 2008). Research indicates **that victims of hate crimes are more severely traumatized, and their trauma lasts longer than victims of comparably violent nonhatemotivated crimes** (Sullaway, 2004). On ethical grounds, psychological research does not permit us to construct empirical research to test the harm thesis for hate by exposing one group to hate speech and comparing its reaction to a control group that is not maligned. However, **on the basis of archival demographic data, there is evidence that suicide rates for ethnic immigrant groups in the United States are significantly predicted by the degree of negativity of hate speech directed toward them** (Mullen & Smyth, 2004).

## FKJ

### Safe Spaces Key

#### Safe spaces are fundamental to the praxis of feminist killjoys. Minority bodies are forefronted, allowing personal catharsis and structural change through disrupting the usual process of society. These spaces become sites for minority desires to live fully and organize collectively without the constant imposition of white, heterosexual, cisgender male experiences.

Hana Riaz, 2014

“Feminist Killjoys, Safe Spaces and Futures” https://noflyonthewall.com/2014/02/01/feminist-killjoys-safe-spaces-and-futures/

The feminist killjoy in the popular imaginary is the bra-burning woman who refuses to shave her legs in order to stick it to the man and is most likely a lesbian. In reality, she is someone in fact who interrupts socially constructed notions of happiness, moments that are otherwise steeped in uncritical acceptance. In calling out oppressions and resisting them, her “failure to be happy is read as sabotaging the happiness of others” (Ahmed, 2010a). Furthermore, it’s not just about ‘feelings’, it is about particular types of bodies that disrupt and subvert, and about which bodies obstruct both literally and symbolically the happiness that others wilfully receive as a consequence of inequality and oppression. Sara Ahmed in The Promise of Happiness (2010) speaks about the ways in which women, in particular, are punished for their deviation and rewarded for staying in line. In referring to Bend It Like Beckham where Jess is punished by her family for playing football, her individual happiness is secured by conforming to heterosexist nationalist desires through a white man: “the narrative of bending the rules of femininity involves a straightening device… narratives of rebellion can involve deviations from the straight line if they return us to this point” (p145). For the feminist, however, there is no line to return to, it is a full deviation and in exchange she is awarded the punishment of melancholia where “what is lost is withdrawn from consciousness…. The object of loss for melancholics is missing; they do not know what they are missing” (p140). For a long time I felt this severance and disjunction, a type of strange nostalgia that I could identify but did not necessarily desire. As a queer Woman of Colour and feminist, my world unravelled and I was forced to interrogate and leave age-old, familiar, embodied like things behind. Islam and even my South Asianness fell under the microscope, a dismantling of sorts in order to fully decolonise. The world as I knew it no longer looked the same. Sometimes, it took the form of coming to terms that there would be little to reconcile in certain personal relationships because I could not concede to the demands patriarchy would require to maintain them. It was being deeply hurt when men in the communities I identified as part of would rarely ‘show up’ in the face of the violence (often physical) that Women of Colour or LGBT folk around me faced daily. It was no longer being able to laugh at the jokes I knew were a stone throw away from being real violences. I felt helpless and isolated in the face of attempting to love, of wanting a world where those on the margins are recognised as fully human. Naturally, I began to retreat from white spaces and heteronormative spaces in search of safe ones. The alternatives did not require me to compromise; some of these organising spaces and others as simple as personal relationships. Last week I ventured out to a Black Queer event on visibility and voice only to find a room in which white privilege (and white male privilege in particular) continued its usual silencing, of speaking over, on behalf of and at Black folk. I left with a migraine. I also was afforded the joys of hearing Angela Davis speak, a woman who needs no introduction, only to witness again the ways in which her presence, voice and work as a Black woman academic had to be legitimated by two rich, white men. Upon leaving the event, after sharing that anger and frustration with the black and brown women around me, a group of young Women of Colour feminists plastered a poster to the wall voicing the same sentiments. There was closeness in that presence of one another. It’s not that the need for safe spaces is a desire for exclusivity to massage egos and affirm a particular world view, it is a desire to be fully present in entirety, to be in spaces that go beyond the bickering of whether x, y or z exists, that don’t operate on silencing, of being able to do the work that is being done. It is also a desire to be able to love and be loved, to find a community of possibility, of connection based on value, resistance and work. It is making space for new kinds of de-colonial desires that are unable to be fulfilled elsewhere, particularly where desire is reduced to a consumable, individual happiness as opposed to a spectrum of continuity and fulfilment not always directly related to happiness as an object. It has also been learning not to take myself so seriously, to experience joy in frivolousness without surrendering my convictions, to be able to celebrate small mercies and take people as whole and flawed. It is far from being comfortable, it is constantly being challenged to grow and build as a person that is accountable and responsible. It is living in compassion. The feminist killjoy need not be apologetic. It is part liberation/part punishment, the melancholy part loss/part hope. I now claim my feminist killjoyness with less guilt or shame, they come at the helm where I make major personal life style changes in order to do the work I wholeheartedly stand by in resistance. I am at my best when I am around people that inspire me to do and be better within and outside of myself. As small as that pool may be, it carries with it depth and weight to carry on, to continue to do meaningful work, to live with full purpose and belonging. The joy experienced there, in and amongst these Others, is something I wouldn’t change for the life of me. There is no going back, only a future I now have the audacity to dream up.

### Ext – Safe Spaces

#### Ext Riaz 14 ---

#### Safe spaces for minority bodies are not for the purpose of coddling or generating an echo chamber. They instead are spatial territories that allow unique moments of personal development for black, queer, feminine and other desires. The absence of liberal rights to speech for those who constantly are given them anyway – whites, males, etc. – allows a place for open speaking amongst minority peers that doesn’t exist anywhere else.

#### There are a few impacts:

#### Personal Catharsis: Minorities are given a space to recharge, be themselves, and live freely amongst like people. This psychological benefit uniquely outweighs, not being forced to explain racism, sexism, etc. enables an internal stasis point to be generated for minority students that will leave the safe space and prepare their personal constitution for the outside world.

#### Killing Joy: The demand for safe spaces upsets the conservative forces on college campuses that demand unfettered free speech. This killing of joy exposes the institutional and interpersonal differences that generate inequalities between the oppressed and their oppressors by interrogating what joy means, how we experience it, and why its access is limited and suppressed for minority students. That outweighs because it tackles the everyday microaggressions and assumptions that spread upwards and fuel larger structures and complexes of violence.

#### Movement Organization: Safe spaces enable communal bonding and movement organizing which spills upwards and results in institutional change. Activism such as Black Lives Matter, the Women’s March, and otherwise all found their beginnings in exclusive discussions where minority students could organize without fear of reprisal from authority.

## Democracy

### Paradoxical

#### Idealistic understandings of deliberative democracy are incoherent and inherently paradoxical. Democracy mandates exclusion through formulating consensus that makes true free speech impossible and recreates arbitrary structures of power.

Chantal Mouffe, 1997

“Carl Schmitt and the Paradox of Liberal Democracy”

Let us examine this model of deliberative democracy closely. In their attempt to ground legitimacy on rationality, deliberative theorists have to distinguish between mere agreement and rational consensus. This is why they assert that the process of public discussion must realize the conditions of ideal discourse. And that requires living up to the values of fair procedure--impartiality, equality, open- ness, lack of coercion and unanimity. The combination of these values in the dis- cussion guarantees that its outcome will be legitimate since it will produce generalizable interests on which all participants can agree. Haberrnasians do not deny that there will, of course, be obstacles to the real- ization of the ideal discourse, but these obstacles are conceived as empirical ones. They are due to the fact that it is unlikely, given the practical and empirical lim- itation of social life, that we will ever be completely able to leave aside all our par- ticular interests in order to coincide with our universal rational self. This is why the ideal speech situation is presented as a regulative idea. However, if we accept Schmitt's insight about the relations of inclusion/exclusion which are necessarily inscribed in the political constitution of 'the people'-which is required by the exercise of democracy-we have to acknowledge that, the obstacles to the realization of the ideal speech situation-and to the consensus without exclusion that it would bring about-are inscribed in the democratic logic itself. Indeed the free and unconstrained public deliberation of all on matters of common concern goes against the democratic requisite of drawing a frontier between 'us' and 'them'. We could say-using this time a Derridean tenninoIogy-that the very conditions of possibility of the exercise of democracy constitute at the same time the conditions of impossibility of democratic legitimacy as envisaged by deliberative democracy. Consensus in a liberal democratic society is-and will always be-the expression of an hegemony and the crystallization of relations of power. The frontier that it establishes between what is and what is not legitimate is a political one and for that reason it should remain contestable. To deny the existence of such a moment of closure or to present the frontier as dictated by rationality or morality is to naturalize what should be perceived as a contingent and temporary hegemonic artic- ulation of 'the people' through a particular regime of inclusion/exclusion. The result of such an operation is to reify the identity of the people by reducing it to one of its many possible forms of identification.

### Ext --- Paradoxical

#### Ext --- Mouffe 97

#### Democracy is innately contradictory to the thesis of free speech:

#### It mandates exclusion of particular opinion in order to consolidate consensus – the creation of laws, deciding of societal norms, and any end-goal proves.

#### It necessarily inscribes divisions in order to create a constituency known as “the people” – those that are outside of the state, not considered important, and otherwise all prove.

#### This makes democratic discourse arbitrary – it’s the opposite of rational – it merely solidifies contingent power relationships as absolute which turns the case.